

believed to be distinct and non-obvious from any of the references by virtue of "entering means for entering an identifier that identifies the transactor; applying means responsive to said remote input and said identifier entering means for applying at least a part of the excess amount to an account predetermined on the basis of said identifier; and said account being identified independent of data in the remote input." in claims 1 to 12 and 21; by virtue of "applying at least a part of the excess to an account as determined by the card identifier; and crediting the excess to the account in the card identifier; the account being identified with said card identifier being independent of said remote input." in claims 13 to 19; and by virtue of "a processor remote from said entry station and responsive to said card reader or keyboard for applying at least a part of the excess to an account on the basis of said identifier; and said account or accounts being identified independent of data in the remote input." in claim 31.

The dependent claims are believed more specifically to be distinct and non-obvious from any of the references, alone or in combination, by virtue of the particular features recited therein.

None of the references, alone or in combination, suggests these features nor in any sense makes the claimed subject matter obvious. In Winn-Dixie the excess always goes into same single account, "Even It Up for the Hungry" on the basis of a **selection by the merchant**. Winn-Dixie to use with the **single non-profit**, the Salvation Army. The merchant chooses the single account. In the present claims the account, which receives the excess, is determined by the payor on the basis of the payor's identifier and the account is independent of the knowledge of the merchant and independent of what is entered in the remote input. It is the account that is predetermined on the basis of the identifier of the payor. Each identifier and payor is associated with a particular account. In Winn-Dixie there is no identifier for the customer, and there is no specified account for the customer. It is the merchant, Winn-Dixie, that makes the choice of the charity.

Fukatsu's keyboard and card reader add nothing to Winn-Dixie to make the aforementioned obvious. Winn-Dixie is a system that has no intention of keeping track of individual customer donations or depositing to any account but that selected by the merchant.

There would be nothing to suggest record keeping for the customer because the merchant has total control.

As to Claims 2 and 15 the Examiner alleges that Winn-Dixie and Fukatsu disclose applying means includes apportioning means for apportioning at least part of the excess of predetermined accounts to one or more accounts selected from a plurality of accounts. Applicant cannot agree. Neither Fukatsu nor Winn-Dixie hint at selection of multiple accounts.

As to Claims 5, 7, 10, 12, 16, 17, 18, 19, and 21, applicant cannot agree that Winn-Dixie and Fukatsu disclose said identifier entering means includes means for entering changes in the apportionment. In neither Winn-Dixie nor Fukatsu is there any hint of apportionment, because there is no suggestion of multiple accounts.

As to Claim 8, the Examiner admits that Winn-Dixie and Fukatsu fail to expressly disclose wherein said apportionment means includes: charity storage means for storing names of a plurality of qualified charities; bank storage means for storing names of a number of banks; accounts storage means for storing numbers of client accounts; entry means for entering the names of charities and banks so as to establish an entered name for each entry of a name; comparison means responsive to said storage means and said entry means for comparing each entered name with a stored name to determine if the entered name matches a stored name; assignment means responsive to said comparison means for assigning a charity or a bank to an account when the charity or the bank has been entered; recording means responsive to said account storage means for recording money entries into said accounts; and allocating means responsive to said account storage means for registering an allocation of parts of monies recorded in accounts among the charities and banks entered for that account.

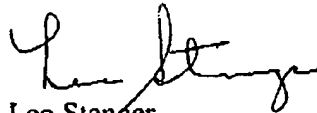
Yet, the Examiner alleges that this is overcome by Winn-Dixie disclosing the Salvation Army will be responsible for identifying the neighborhood of the greatest need and distributing the charitable donations, and his opinion that that automated methods of tracking charitable funds (donations and distribution) were well known at the time the invention was made.

Applicant cannot agree, because there is not the slightest hint of the multiple accounts and the allocation of funds on the basis of the payor selection. The mere existence of automated methods does not suggest the claimed subject matter.

The remaining references, not cited against the claims add nothing to the aforementioned to make the claimed subject matter obvious.

In view of the above, it is respectfully requested that the claims be allowed and the case passed to issue.

Respectfully submitted.



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